

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

RONNIE STINSON,
Plaintiff,

v.

ALLEN NEJAH, et al.,
Defendants.

Case No. 23-cv-04858-LB

**ORDER REGARDING SERVICE BY
EMAIL**

One defendant in this case, Allen Nejah, has not been served yet. Because the plaintiff is proceeding in forma pauperis, service must be by a U.S. marshal. Fed. R. Civ. P. 4(c)(3). Two attempts have already been made for service by personal delivery.¹ This order is for a U.S. marshal to attempt service by email.

Under Federal Rule of Civil Procedure 4(e), a plaintiff may serve an individual defendant using any method permitted by the law of the state in which the district court is located or in which service is effected. Fed. R. Civ. P. 4(e)(1). California law allows for five basic methods of service: (1) personal delivery to the party, *see* Cal. Civ. Proc. Code § 415.10; (2) delivery to someone else at the party's usual residence or place of business with mailing after (known as "substitute service"), *see id.* § 415.20; (3) service by mail with acknowledgment of receipt, *see id.*

¹ Order – ECF No. 34; Summons – ECF No. 41.

§ 415.30; (4) service on persons outside the state by certified or registered mail with a return receipt requested, *see id.* § 415.40; and (5) service by publication, *see id.* § 415.50. California Code of Civil Procedure § 413.30 also provides that a court “may direct that summons be served in a manner which is reasonably calculated to give actual notice to the party served.” Courts in this district have authorized service by email under California Civil Procedure Code § 413.30. *See, e.g., Cisco Sys., Inc. v. Shaitor*, No. 18-cv-00480-LB, 2018 WL 3109398, at *3–4 (N.D. Cal. June 25, 2018); *Steve McCurry Studios, LLC v. Web2Web Mktg., Inc.*, No. C 13-80246 WHA, 2014 WL 1877547, at *2–3 (N.D. Cal. May 9, 2014); *Facebook, Inc. v. Banana Ads, LLC*, No. C-11-3619 YGR, 2012 WL 1038752, at *3 (N.D. Cal. Mar. 27, 2012).

The court directs the U.S. Marshals Service to serve Allen Nejah at the following email address: Kayfariba@gmail.com. *Steve McCurry Studios*, 2014 WL 1877547, at *2 (email service is permissible following “‘reasonable’ attempts to serve” by other means).

IT IS SO ORDERED.

Dated: February 20, 2024



LAUREL BEELER
United States Magistrate Judge